

3743

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daniel L. Ellingson et al. Docket No.: 16988
Serial No.: 10/027,900 Group No.: 3743
Confirmation No.: 3215 Examiner: A. Kokabi
Filed: December 21, 2001
For: DISPOSABLE CONTAINER WITH A SPILL PREVENTION MECHANISM

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that the attached correspondence comprising:

Copy of Electronic Information Disclosure Statement dated September 24, 2003
Copy of Faxed Information Disclosure Statement dated September 24, 2003
2 Patent Document(s)

is being deposited with the United States Postal Service as first-class mail in an envelope addressed to:

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on: March 24, 2004

Nanette A. Dotts

(Type or print name of person mailing paper)

Nanette A. Dotts
(Signature of person mailing paper)

(Certificate of Mailing Under 37 C.F.R. 1.8(a) [8-21])

In the United States Patent and Trademark Office

Applicant:	Daniel L. Ellingson et al.	Docket No.:	16988
Serial No.:	10/027,900	Group No.:	3743
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For:	DISPOSABLE CONTAINER WITH A SPILL PREVENTION MECHANISM		

Communication

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

Sir:

Applicants originally submitted the documents identified herein on September 24, 2003, and Applicants received an electronic "Acknowledgement" receipt for the electronically filed portion of the Information Disclosure Statement and an "Auto-Reply" facsimile receipt for the faxed portion of the Information Disclosure Statement, both indicating receipt on September 24, 2003. However, the Examiner has indicated that he or she did not receive the documents sent. Therefore, as a courtesy, Applicants are re-submitting copies of the following documents related to the above-mentioned U.S. patent application for consideration by the Examiner:

Electronic Information Disclosure Statement, EFS ID 48248, including acknowledgement receipt dated September 24, 2003

Faxed Information Disclosure Statement, including Auto-Reply receipt dated September 24, 2003

German Patent No. DE 20016916 U1 with translation

World Patent Application Publication No. WO 00/59427

As applicants are merely forwarding copies of previously cited documents, no fee is believed due. Nonetheless, should the PTO believe a fee to be due, you are hereby authorized to charge any fee due under 37 CFR § 1.17 to Kimberly-Clark Worldwide, Inc. deposit account no. 11-0875.

The undersigned may be reached at: 920-721-2455.

Respectfully submitted,

DANIEL L. ELLINGSON ET AL.

By: Thomas J. Connelly
Thomas J. Connelly
Registration No.: 28,404

MAR 29 2004

UNITED STATES PATENT AND TRADEMARK OFFICE
ACKNOWLEDGEMENT RECEIPT

Electronic Version 1.1

Stylesheet Version v1.1.1

Title of
InventionDISPOSABLE CONTAINER WITH A SPILL PREVENTION
MECHANISM

Submission Type: Information Disclosure Statement

Application Number: 10/027900 *10/027900*

JFES ID:

48248

Server Response:

Confirmation Code	Message
ISVR1	Submission was successfully submitted - Even if Informational or Warning Messages appear below, please do not resubmit this application
ICON1	3215
ISYS5	Filename= N/A BusinessRule= Validation System/Function Call Information. #Supporting Msg:Server unable to validate the Confirmation/Application numbers at this time. They will be checked by PTO personnel later.

First Named Applicant: Daniel Ellingson et al.

Attorney Docket Number: 16988

Timestamp: 2003-09-24 17:15:59 EDT

From: US

File Listing:

Doc. Name	File Name	Size (Bytes)
us-ids	16988-E-ids-2003-09-22-usidst.xml	3680
us-ids	us-ids.dtd	7763
us-ids	us-ids.xsl	12026
package-data	16988-E-ids-2003-09-22-pkda.xml	4654
package-data	package-data.dtd	27025
package-data	us-package-data.xsl	19263
Total files size		74411

Message Digest: f1929e7e3e4a8134f7ea172d55da54abd54e84b1

Digital Certificate Holder
Name:cn=Scott Allen Baum,ou=Registered
Attorneys,ou=Patent and Trademark
Office,ou=Department of Commerce,o=U.S.

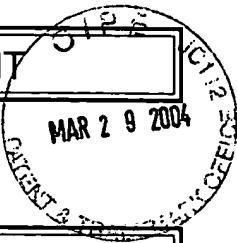
Government,c=US

O I P E S T R A N S M I T T A L		
Electronic Version v1.1 Stylesheet Version v1.1.0		
M A R 2 9 2004		
Title of Invention	DISPOSABLE CONTAINER WITH A SPILL PREVENTION MECHANISM	
<p>Application Number: 10/027900 *10/027900*</p> <p>Date: 2001-12-21</p> <p>First Named Applicant: Daniel L. Ellingson et al.</p> <p>Confirmation Number: 3215</p> <p>Attorney Docket Number: 16988</p>		
<p>I hereby certify that the use of this system is for OFFICIAL correspondence between patent applicants or their representatives and the USPTO. Fraudulent or other use besides the filing of official correspondence by authorized parties is strictly prohibited, and subject to a fine and/or imprisonment under applicable law.</p> <p>I, the undersigned, certify that I have viewed a display of document(s) being electronically submitted to the United States Patent and Trademark Office, using either the USPTO provided style sheet or software, and that this is the document(s) I intend for initiation or further prosecution of a patent application noted in the submission. This document(s) will become part of the official electronic record at the USPTO.</p>		
Submitted by:	Elec. Sign.	Sign. Capacity
Scott A. Baum Registered Number: 51,237	Scott A. Baum	Attorney

Documents being submitted	Files
us-ids	16988-E-ids-2003-09-22-usidst.xml
	us-ids.dtd
	us-ids.xls
Comments	
<p>Supplemental Information Disclosure Statement Pursuant to 37 C.F.R. Section 1.97(c)(2) - Before Final Rejection or Notice of Allowance - Fee. Applicants are today filing an Information Disclosure Statement in multiple parts consisting of one electronic submission of U.S. patents and U.S. published applications and one paper submission of other documents being transmitted via facsimile. Because the multiple parts are being filed on the same day, Applicants believe that only a single fee set forth in 37 C.F.R. 1.17(p) is required. Pursuant to 37 C.F.R. 1.56 and in accordance with 37 C.F.R. 1.97 et seq., Applicants, through and by their attorneys, hereby wish to direct the Examiner's attention to the documents listed on the attached modified PTO Form 1449. By inclusion of any given document in this Information Disclosure Statement, Applicants in no way admit that such document is effective as prior art against the above identified application under either 35 U.S.C. 102 or 35 U.S.C. 103. Additionally, submission of any document is not to be taken as an admission of the materiality of the document to the prosecution of the present application. The Examiner is requested to review each cited document and personally determine its prior art status. Applicants recommend that the Examiner conduct an independent search for any and all available material prior art and independently review the results of such search and the documents cited within this Statement. A completed modified PTO 1449 form listing the documents to which the Examiner's attention is directed is presented herewith for the Examiner's review and convenience. Applicants request the Examiner, in accordance with 37 C.F.R. 1.97, to indicate and make of record receipt and review of all of these documents by initialing the appropriate box in the accompanying PTO 1449. Applicants request that the undersigned receive a copy of the initialed PTO 1449. If the Examiner refuses to consider any or all of the herein submitted materials because it is the Examiner's opinion that this Information Disclosure Statement is not in compliance with 37 C.F.R. 1.97, Applicants respectfully request that the Examiner notify the undersigned, in writing, as to the basis of such opinion. Pursuant to 37 C.F.R. 1.17(p), please charge the \$180.00 fee for filing this Information Disclosure Statement to Kimberly Clark Worldwide, Inc. deposit account number 11 0875. Please charge any other prosecutorial fees which are due to Kimberly Clark Worldwide, Inc. deposit account number 11 0875. The undersigned may be reached at: 920-721-7760.</p>	

ELECTRONIC INFORMATION DISCLOSURE STATEMENT

Electronic Version v18
 Stylesheet Version v18.0



Title of Invention	DISPOSABLE CONTAINER WITH A SPILL PREVENTION MECHANISM													
Application Number:	10/027900 *10/027900*													
Confirmation Number:	3215													
First Named Applicant:	Daniel Ellingson et al.													
Attorney Docket Number:	16988													
Art Unit:	3727													
Examiner:	Azadeh Kokabi													
Search string:	(3804092 or 4372311 or 4734941 or 4826493 or 5048589 or 5300358 or 5312883 or 5976694 or 6020425 or 6121170 or 6187696 or 6258427 or 20030118850 or 20030121097).pn.													
US Patent Documents														
Note: Applicant is not required to submit a paper copy of cited US Patent Documents														
init	Cite.No.	Patent No.	Date	Patentee	Kind	Class	Subclass							
	1	3804092	1974-04-16	Tunc										
	2	4372311	1983-02-08	Potts										
	3	4734941	1988-04-05	DeWitt et al.										
	4	4826493	1989-05-02	Martini et al.										
	5	5048589	1991-09-17	Cook et al.										
	6	5300358	1994-04-05	Evers										
	7	5312883	1994-05-17	Komatsu et al.										
	8	5976694	1999-11-02	Tsai et al.										
	9	6020425	2000-02-01	Wang et al.										
	10	6121170	2000-09-19	Tsai et al.										
	11	6187696	2001-02-13	Lim et al.										
	12	6258427	2001-07-10	Kerins et al.										

US Published Applications

Note: Applicant is not required to submit a paper copy of cited US Published Applications

init	Cite.No.	Pub. No.	Date	Applicant	Kind	Class	Subclass
	1	20030118850	2003-06-26	McCormack et al.			
	2	20030121097	2003-07-03	Sherrod et al.			

Remarks

Note: Remarks are not for responding to an office action.

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with your next communication.

Signature

Examiner Name	Date

TO+Auto-reply fax to 920 721 0279 COMPANY: _____



Auto-Reply Facsimile Transmission



TO: Fax Sender at 920 721 0279

Fax Information

Date Received: 9/24/03 5:31:52 PM [Eastern Daylight Time]

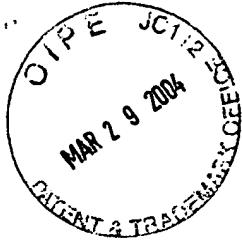
Total Pages: 39 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

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Page
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SEP 24 2003 16:38 FR KC LEGAL DEPT		920 721 0279 TO 917035729302	P.01/39
PATENT			
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE			
Applicant:	Daniel L. Ellingson et al.		
Serial No.:	10/327,900		
Confirmation No.:	3215		
Filed:	December 21, 2001		
For:	DISPOSABLE CONTAINER WITH A SPILL PREVENTION MECHANISM		
COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450			
CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.8(a)			
I hereby certify that the attached correspondence comprising:			
Supplemental Information Disclosure Statement Pursuant to 37 C.F.R. § 1.97(c)(2) - Before Final Rejection or Notice of Allowance - Fee 1 Page(s) of PTO Form 1449 2 Document(s)			
39 Total pages, including this page			
Is being transmitted to the United States Patent and Trademark Office via facsimile addressed to: Commissioner for Patents Fax number: 703-872-9302			
on: September 24, 2003			
Nancy Henke Baehnman (Type or print name of person transmitting paper)			
<u>Nancy Henke Baehnman</u> (Signature of person transmitting paper)			

Received from <920 721 0279> at 09/24/03 5:31:52 PM [Eastern Daylight Time]



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daniel L. Ellingson et al. Docket No.: 16988
Serial No.: 10/027,900 Group No.: 3727
Confirmation No.: 3215 Examiner: Azadeh Kokabi
Filed: December 21, 2001
For: DISPOSABLE CONTAINER WITH A SPILL PREVENTION MECHANISM

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.8(a)

I hereby certify that the attached correspondence comprising:

Supplemental Information Disclosure Statement Pursuant to 37 C.F.R. §
1.97(c)(2) - Before Final Rejection or Notice of Allowance - Fee
1 Page(s) of PTO Form 1449
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**Commissioner for Patents
Fax number: 703-872-9302**

on: September 24, 2003

Nancy Henke Baehnman

(Type or print name of person transmitting paper)

Nancy Henke Baehnman
(Signature of person transmitting paper)



In the United States Patent and Trademark Office

Applicant: Daniel L. Ellingson et al. Docket No.: 16988
Serial No.: 10/027,900 Group No.: 3727
Confirmation No.: 3215 Examiner: Azadeh Kokabi
Filed: December 21, 2001 Date: September 24, 2003
For: DISPOSABLE CONTAINER WITH A SPILL PREVENTION MECHANISM

Supplemental Information Disclosure Statement Pursuant to 37 C.F.R. § 1.97(c)(2) Before Final Rejection or Notice of Allowance Fee

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

Sir:

Applicants are today filing an Information Disclosure Statement in multiple parts consisting of one electronic submission of U.S. patents and U.S. published applications and one paper submission of other documents being sent via first class U.S. mail. Because the multiple parts are being filed on the same day, Applicants believe that only a single fee set forth in 37 C.F.R. 1.17(p) is required.

Pursuant to 37 C.F.R. 1.17(p), applicants have authorized the charge of the \$180.00 fee for filing this portion of the Information Disclosure Statement to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875 in the first electronic submission, 16988-E-ids-2003-09-22, EFS ID 48248, time stamped 2003-09-24 17:15:59 EDT. Please charge any other prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875.

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Additionally, submission of any document is not to be taken as an admission of the materiality of the document to the prosecution of the present application.

The Examiner is requested to review each cited document and personally determine its prior art status.

Applicants recommend that the Examiner conduct an independent search for any and all available material prior art and independently review the results of such search and the documents cited within this Statement.

A completed modified PTO-1449 form listing the documents to which the Examiner's attention is directed and copies of those documents are presented herewith for the Examiner's review and convenience.

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The undersigned may be reached at: 920-721-7760.

Respectfully submitted,

DANIEL L. ELLINGSON ET AL.

By: Scott A. Baum
Scott A. Baum
Registration No.: 51,237



List of Patents and Publications for Information Disclosure Statement

Applicant(s): Daniel L. Ellingson et al. Docket No.: 16988
 Serial No.: 10/027,900 Group: 3727
 Filed: December 21, 2001 Examiner: Azadeh Kokabi

U.S. Patent Documents							
Initials	Doc. No.	Date	Name	Class	Subclass	Filing Date	
A1							
A2							
A3							
A4							
A5							
A6							
A7							
A8							
A9							
A10							

Foreign Patent Documents								
Initials	Doc. No.	Date	Country	Class	Subclass	Trans.	Yes	No
A1	DE 200 16 916 U1	01/25/2001	Germany			<input checked="" type="checkbox"/>	<input type="checkbox"/>	
A2	WO 00/59427 A1	10/12/2000	World - PCT			<input type="checkbox"/>	<input type="checkbox"/>	
A3						<input type="checkbox"/>	<input type="checkbox"/>	
A4						<input type="checkbox"/>	<input type="checkbox"/>	
A5						<input type="checkbox"/>	<input type="checkbox"/>	
A6						<input type="checkbox"/>	<input type="checkbox"/>	

Other Documents							
Initials	Author, Title, Date, Pages, etc.						
A1							
A2							
A3							
A4							
A5							

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.
 Draw line through citation if not in conformance and not considered. Include a copy of this form with
 your next communication.

Examiner:

Date Considered: